
STATUTORY INSTRUMENTS

2023 No. 588

The Aviation Safety (Amendment) Regulations 2023

Amendment of Section A of Annex II to Commission Regulation (EU) No 1321/2014

- 22.**—(1) Section A is amended as follows.
- (2) In the section heading, after “technical” insert “and organisational”.
 - (3) In point 145.A.10, after “approval” insert “certificate”.
 - (4) For point 145.A.15 (including the heading) substitute—

“145.A.15 Application for an organisation certificate

- (a) An application for a certificate or an amendment to an existing certificate in accordance with this Annex must be made in a form and manner established by the CAA, taking into account the applicable requirements of Annex I (Part-M), Annex Vb (Part-ML) and this Annex.
- (b) Applicants for an initial certificate pursuant to this Annex must provide the CAA with:
 - (1) the results of a pre-audit performed by the organisation against the applicable requirements provided for in Annex I (Part-M), Annex Vb (Part-ML) and this Annex;
 - (2) documentation demonstrating how they intend to ensure compliance with the requirements of this Regulation.”.
- (5) For point 145.A.20 substitute—
 - “(a) The organisation’s scope of work must be specified in the maintenance organisation exposition (“MOE”) in accordance with point 145.A.70;
 - (b) The organisation must comply with the terms of approval attached to the organisation certificate issued by the CAA, and with the scope of work specified in the MOE.”.
- (6) In point 145.A.30—
 - (a) for points (a) to (e) substitute—
 - “(a) The organisation must appoint an accountable manager that has corporate authority to ensure that all maintenance activities of the organisation can be financed and carried out in accordance with Regulation (EU) 2018/1139. The accountable manager must:
 - (1) ensure that all necessary resources are available to accomplish maintenance in accordance with this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable, to support the organisation certificate;
 - (2) establish and promote the safety policy specified in point 145.A.200(a)(2);
 - (3) demonstrate a basic understanding of this Regulation.
 - (b) The accountable manager—

- (1) must nominate a person or group of persons representing the management structure for the maintenance functions and with the responsibility to ensure that the organisation works in accordance with the MOE and approved procedures. It must be made clear in the procedures who deputises for a particular person in the case of lengthy absence of that person;
 - (2) must nominate a person or group of persons with the responsibility to manage the compliance monitoring function as part of the management system;
 - (3) must nominate a person or group of persons with the responsibility to manage the development, administration and maintenance of effective safety management processes as part of the management system.
- (c) The person or group of persons nominated in accordance with points (b)(1), (2) and (3) must have a responsibility to the accountable manager and direct access to them to keep them properly informed on compliance and safety matters. Additionally, they must be able to demonstrate relevant knowledge, background and satisfactory experience related to aircraft or component maintenance and demonstrate a working knowledge of this Regulation.
- (d) The organisation must have a maintenance resource plan to ensure it has sufficient and appropriately qualified staff to plan, perform, supervise, inspect and monitor the organisation’s activities in accordance with the terms of the approval. In addition, the organisation must have a procedure to reassess the work intended to be carried out when the actual staff availability is reduced compared to the planned staffing level for a particular work shift or period.
- (e) The organisation must establish and control the competency of the personnel involved in any maintenance, airworthiness reviews, safety management and compliance monitoring in accordance with a procedure and to a standard agreed with the CAA. In addition to the necessary expertise related to the job function, the competency of the personnel must include an understanding of the application of safety management principles, including human factors and human performance issues, which is appropriate to their function and responsibilities in the organisation.”;
- (b) in point (j)—
- (i) in the first paragraph, after “certifying staff” insert “and support staff that are”;
 - (ii) for points (1) to (4) substitute—
 - “1. For base maintenance carried out at a location outside the United Kingdom, support staff may be qualified in accordance with the national aviation regulations of the State in which the organisation facility is located subject to the conditions specified in Appendix IV to this Annex.
 - 2. For line maintenance carried out at a line station located outside the United Kingdom, the certifying staff may be qualified, subject to the conditions specified in Appendix IV to this Annex, in accordance with the following alternative conditions:
 - (i) national aviation regulations of the State in which the line station is located,
 - (ii) national aviation regulation of the State in which the organisation’s principal place of business is located.

3. For a repetitive pre-flight airworthiness directive which specifically states that the flight crew may carry out such airworthiness directive, the organisation may issue a limited certification authorisation to the pilot on the basis of the flight crew licence held. In that case, the organisation must ensure that the pilot has carried out sufficient practical training ensuring that the pilot can accomplish the airworthiness directive.

4. If an aircraft is operated away from a supported location, the organisation may issue a limited certification authorisation to the pilot on the basis of the flight crew licence held, subject to being satisfied that the pilot has carried out sufficient practical training ensuring that the pilot can accomplish the specified tasks.”;

(c) in point (k)—

(i) for “and meeting all of the following requirements” substitute “in accordance with point 145.A.37”;

(ii) omit points 1 to 7.

(7) In point 145.A.35—

(a) for points (d) to (f) substitute—

“(d) The organisation must ensure that all certifying staff and support staff receive sufficient recurrent training in each 2 year period to ensure that they have up to date knowledge of relevant technologies, organisation procedures and safety management, including human factor issues.

(e) The organisation must establish a programme for recurrent training for certifying staff and support staff, including a procedure to ensure compliance with the relevant provisions of this point and a procedure to ensure compliance with Annex III (Part-66).

(f) With the exception of the unforeseen cases specified in point 145.A.30(j)(5), the organisation must assess all certifying staff for their competency, qualifications and capability to carry out their intended certifying duties in accordance with a procedure in the MOE prior to the issue or reissue of a certification authorisation under this Annex to such staff.”;

(b) for points (h) to (o) substitute—

“(h) The certification authorisation must be in a style that makes its scope clear to the certifying staff and any authorised person who may require to examine the authorisation. Where codes are used to define scope, the organisation must make a code translation readily available. “Authorised person” means an official of the CAA.

(i) The person or group of persons nominated under point 145.A.30(b)(2) that are responsible for the compliance monitoring function must remain responsible for issuing certification authorisations to certifying staff, but may nominate other persons to effectively issue or revoke certification authorisations in accordance with a procedure in the MOE.

(j) The organisation must provide certifying staff with a copy of their certification authorisation in either written or electronic format.

(k) Certifying staff must produce their certification authorisation to any authorised person within 24 hours of the request.

(l) The minimum age for certifying staff and support staff is 21 years.

- (m) The holder of a category A aircraft maintenance licence may only exercise certification privileges on a specific aircraft type following the satisfactory completion of the relevant category A aircraft task training carried out by an organisation appropriately approved in accordance with Annex II (Part-145) or Annex IV (Part-147). This training must include practical hands-on training and theoretical training as appropriate for each task authorised. Satisfactory completion of training must be demonstrated by an examination or by workplace assessment carried out by the organisation.
 - (n) The holder of a category B2 aircraft maintenance licence may only exercise the certification privileges described in point 66.A.20(a)(3)(ii) of Annex III (Part-66) following the satisfactory completion of:
 - (i) the relevant category A aircraft task training; and
 - (ii) 6 months of proven practical experience covering the scope of the authorisation to be issued.
 - (o) The task training referred to in point (n)(i) must include practical hands-on training and theoretical training as appropriate for each task authorised. Satisfactory completion of training must be demonstrated by an examination or by workplace assessment. Task training and examination or assessment must be carried out by the maintenance organisation issuing the certifying staff authorisation. The practical experience must also be obtained within that maintenance organisation.”.
- (8) Omit point 145.A.36.
- (9) Before point 145.A.40 insert—

“145.A.37 Airworthiness review staff

- (a) In order to be approved to carry out airworthiness reviews and to issue the corresponding airworthiness review certificates (ARC) for aircraft covered by Annex Vb (Part-ML), the organisation must have airworthiness review staff that comply with all of the following requirements:
 - (1) they have acquired experience in continuing airworthiness of at least 1 year for sailplanes and balloons and of at least 3 years for all other aircraft;
 - (2) they hold a certifying staff authorisation for the corresponding aircraft;
 - (3) they have acquired knowledge of Annex I (Part-M), Subpart C, or of Annex Vb (Part-ML), Subpart C;
 - (4) they have acquired knowledge of the procedures of the maintenance organisation relevant to the airworthiness review and issue of the airworthiness review certificate.
 - (b) Before the organisation issues an airworthiness review authorisation to a candidate, that candidate must perform an airworthiness review under the supervision of the CAA or under the supervision of a person that is already authorised as airworthiness review staff by the organisation. If this airworthiness review under supervision is satisfactory, the CAA may formally accept that candidate to become airworthiness review staff.
 - (c) The organisation must ensure that the airworthiness review staff can demonstrate appropriate recent continuing airworthiness experience.”.
- (10) In point 145.A.42—
- (a) in point (a)(i)—

- (i) after “unless otherwise specified in” insert “point 21.A.307 of”;
 - (ii) for “or in this Annex II (Part 145)” substitute “, in point M.A.502 of Annex I (Part-M), in point ML.A.502 of Annex III (Part-ML), or in this Annex (Part-145)”;
 - (b) in point (b)(iv), for “point 21.A.370(c)” substitute “point 21.A.307(b)(2)”.
- (11) In point 145.A.45, for points (a) to (e) substitute—
- “(a) The organisation must hold and use applicable current maintenance data which is necessary in the performance of maintenance, including modifications and repairs. “Applicable” means relevant to any aircraft, component or process specified in the organisation’s terms of approval and in any associated capability list. In the case of maintenance data provided by the person or organisation requesting the maintenance, the organisation must hold such data when the work is in progress, with the exception of the need to comply with point 145.A.55(a)(3).
 - (b) Applicable maintenance data is the data specified in point M.A.401(b) of Annex I (Part-M) or in point ML.A.401(b) of Annex Vb (Part-ML), as applicable.
 - (c) The organisation must establish procedures to ensure that if inaccurate, incomplete or ambiguous procedure, practice, information or maintenance instruction is found in the maintenance data used by maintenance personnel, it is recorded as part of the internal safety reporting scheme referred to in point 145.A.202 and notified to the author of the maintenance data.
 - (d) The organisation may only modify maintenance instructions in accordance with a procedure that is specified in the MOE. With respect to changes to maintenance instructions, the organisation must demonstrate that they result in equivalent or improved maintenance standards, and must inform the author of the maintenance instructions of such changes. For the purposes of this point, “maintenance instructions” means instructions on how to carry out a particular maintenance task; they exclude the engineering design of repairs and modifications.
 - (e) The organisation must provide a common work card or worksheet system to be used throughout the relevant parts of the organisation. In addition, the organisation must either accurately transcribe the maintenance data referred to in points (b) and (d) onto such work cards or worksheets, or make precise reference to the particular maintenance task or tasks contained in that maintenance data. Work cards and worksheets may be computer generated and held in an electronic database that is adequately protected against unauthorised alteration, and for which there is a backup electronic database which must be updated within 24 hours after an entry is made to the main electronic database. Complex or long maintenance tasks must be transcribed onto the work cards or worksheets and subdivided into clear stages to ensure that there is a record of the accomplishment of the complete maintenance task. When the organisation provides maintenance services to an aircraft operator which requires its own work card or worksheet system to be used, then such work card or worksheet system may be used. In that case, the organisation must establish a procedure to ensure that those work cards or worksheets are correctly completely.”.
- (12) In point 145.A.47—
- (a) for point (b) substitute—
 - “(b) As part of the management system described in 145.A.200, the planning and organisation of maintenance tasks must take into account human performance limitations, including the threat of fatigue for maintenance personnel during shifts.”;
 - (b) after point (c) insert—

“(d) The organisation must ensure that aviation safety hazards associated with external working teams carrying out maintenance at the organisation’s facilities are considered by the organisation’s management system.”.

(13) For point 145.A.48 substitute—

- “(a) The organisation may only carry out maintenance on an aircraft or component for which it is approved when all the necessary facilities, equipment, tooling, material, maintenance data and personnel are available.
- (b) The organisation must be responsible for the maintenance that is performed within the scope of its approval.
- (c) The organisation must ensure that:
- (1) after the completion of the maintenance, a general verification is carried out to ensure that the aircraft or component is clear of all tools, equipment and any extraneous parts or material, and that all access panels that were removed have been refitted;
 - (2) an error capturing method is implemented after the performance of any critical maintenance task;
 - (3) the risk of errors during maintenance and the risk of errors being repeated in identical maintenance tasks are minimised;
 - (4) damage is assessed, and modifications and repairs are carried out using the data specified in point M.A.304 of Annex I (Part-M) or point ML.A.304 of Annex Vb (Part-ML), as applicable;
 - (5) the assessment of aircraft defects is carried out in accordance with point M.A.403(b) of Annex I (Part-M) or point ML.A.403(b) of Annex Vb (Part-ML), as applicable.”.

(14) After point 145.A.60 insert—

“145.A.61 Management system – additional occurrence reporting procedures

- (a) As part of its management system referred to in point 145.A.200, the internal occurrence reporting system must include voluntary reporting. A single system may be established to meet the requirements of Regulation (EU) No 376/2014 and Regulation (EU) 2018/1139.
- (b) The organisation must report any event that affects an aircraft to the person or organisation that is responsible for the continuing airworthiness of that aircraft in accordance with point M.A.201 of Annex I (Part-M) or point ML.A.201 of Annex Vb (Part-ML), as applicable. For events that affect aircraft components, the organisation must report to the person or organisation that requested the maintenance.
- (c) For organisations that do not have their principal place of business in the United Kingdom, the initial mandatory reports must:
- (1) appropriately safeguard the confidentiality of the identity of the reporter and of the persons mentioned in the report;
 - (2) be made as soon as practicable, but in any case within 72 hours after the organisation has become aware of the occurrence unless exceptional circumstances prevent this;
 - (3) be made in a form and manner established by the CAA; and
 - (4) contain all pertinent information about the event known to the organisation.
- (d) Where relevant, organisations referred to in point (c) must make a follow-up report that provides details of the actions the organisation intends to take to prevent similar

occurrences in the future as soon as those actions have been identified. Those follow-up reports must:

- (1) be sent to the entities referred to in point (b) to which the initial report was sent; and
- (2) be made in a form and manner established by the CAA.”.

(15) For point 145.A.65 (including the heading) substitute—

“145.A.65 Maintenance procedures

- (a) The organisation must establish procedures which ensure that human factors and good maintenance practices are taken into account during maintenance, including subcontracted activities, and which comply with the applicable requirements of this Annex, Annex I (Part-M) and Annex Vb (Part-ML). Such procedures must be agreed with the CAA.
- (b) The maintenance procedures established under this point must:
 - (1) ensure that a clear maintenance work order or contract has been agreed between the organisation and the person or organisation that requests the maintenance, to clearly establish the maintenance to be carried out so that the aircraft and components may be released to service in accordance with point 145.A.50;
 - (2) cover all the aspects of carrying out the maintenance, including the provision and control of specialised services, and lay down the standards according to which the organisation intends to work.”.

(16) For point 145.A.70 (including the heading) substitute—

“145.A.70 Maintenance Organisation Exposition

- (a) The organisation must establish and maintain a maintenance organisation exposition (“MOE”) that includes, directly or by reference, all of the following:
 - (1) a statement signed by the accountable manager confirming that the maintenance organisation will at all times work in accordance with this Annex, Annex I (Part-M) and Annex Vb (Part-ML), as applicable, and with the approved MOE. If the accountable manager is not the chief executive officer of the organisation, then the chief executive officer must countersign the statement;
 - (2) the organisation’s safety policy and the related safety objectives referred to in point 145.A.200(a)(2);
 - (3) the title and name of any person nominated under points 145.A.30(b)(1), (2) and (3);
 - (4) the duties and responsibilities of any person nominated under points 145.A.30(b)(1), (2) and (3), including the matters on which they may deal directly with the CAA on behalf of the organisation;
 - (5) an organisation chart showing the accountability and associated lines of responsibility, established in accordance with point 145.A.200(a)(1), between all the persons referred to in points 145.A.30(a) and (b)(1), (2) and (3);
 - (6) a list of the certifying staff and, if applicable, support staff and airworthiness review staff with their scope of authorisation;
 - (7) a general description of the workforce resources and of the system that is in place to plan the availability of staff, as required by point 145.A.30(d);

- (8) a general description of the facilities at each approved location;
 - (9) a specification of the scope of work of the organisation that is relevant to the terms of approval as required by point 145.A.20;
 - (10) the procedure that sets out the scope of changes not requiring prior approval and that describes how such changes will be managed and notified to the CAA, as required by point 145.A.85(c);
 - (11) the procedure for amending the MOE;
 - (12) the procedures specifying how the organisation ensures compliance with this Annex;
 - (13) a list of the commercial operators to which the organisation provides regular aircraft maintenance services, and the associated procedures;
 - (14) where applicable, a list of the subcontracted organisations referred to in point 145.A.75(b);
 - (15) a list of the approved locations including, where applicable, line maintenance locations referred to in point 145.A.75(d);
 - (16) a list of the contracted organisations;
 - (17) a list of the currently approved alternative means of compliance used by the organisation.
- (b) The initial issue of the MOE must be approved by the CAA. It must be amended as necessary so that it remains an up-to-date description of the organisation.
 - (c) Amendments to the MOE must be managed as set out in the procedures referred to in points (a)(10) and (a)(11). Any amendments that are not included in the scope of the procedure referred to in point (a)(10), as well as any amendments related to the changes listed in point 145.A.85(a), must be approved by the CAA.”.
- (17) In point 145.A.75—
- (a) in the words before point (a), for “exposition” substitute “MOE”;
 - (b) for points (a) and (b) substitute—
 - “(a) Maintain any aircraft or component for which it is approved at the locations identified in the certificate and in the MOE;
 - (b) Arrange for the maintenance of any aircraft or component for which it is approved at another subcontracted organisation that works under the management system of the organisation. This is limited to the work permitted under the procedures established in accordance with point 145.A.65 and it must not include a base maintenance check of an aircraft, or a complete workshop maintenance check or overhaul of an engine or an engine module;”;
 - (c) for point (f) substitute—
 - “(f) If specifically approved to do so for aircraft covered by Annex Vb (Part-ML) and if it has its principal place of business in the United Kingdom, the organisation may perform airworthiness reviews and issue the corresponding airworthiness review certificates under the conditions specified in point ML.A.903 of Annex Vb (Part-ML).”.
- (18) Omit point 145.A.80.
- (19) For point 145.A.90 (including the heading) substitute—

“145.A.90 Continued validity

- (a) The organisation’s certificate must remain valid, subject to compliance with all of the following conditions:
 - (1) the organisation remaining in compliance with Regulation (EU) 2018/1139, taking into account the provisions of point 145.B.350 of this Annex related to the handling of findings;
 - (2) the CAA being granted access to the organisation as specified in point 145.A.140;
 - (3) the certificate not being surrendered by the organisation, or suspended or revoked by the CAA under point 145.B.355.
 - (b) Upon surrender or revocation, the certificate must be returned to the CAA without delay.”.
- (20) For point 145.A.95 (including the heading) substitute—

“145.A.95 Findings and observations

- (a) After the receipt of a notification of findings in accordance with point 145.B.350, the organisation must:
 - (1) identify the root cause of, and any contributing factors to, the non-compliance;
 - (2) define a corrective action plan;
 - (3) demonstrate the implementation of corrective action to the satisfaction of the CAA.
 - (b) The actions referred to in point (a) must be performed within the period agreed with the CAA in accordance with point 145.B.350.
 - (c) The observations received in accordance with point 145.B.350(e) must be given due consideration by the organisation. The organisation must record the decisions taken in respect of those observations.”.
- (21) After point 145A.95 insert—

“145.A.120 Means of compliance

- (a) An organisation may use any alternative means of compliance to establish compliance with this Regulation.
- (b) If an organisation wishes to use an alternative means of compliance, it must, prior to using it, provide the CAA with a full description. The description must include any revisions to manuals or procedures that may be relevant, as well as an explanation indicating how compliance with this Regulation is achieved. The organisation may use those alternative means of compliance subject to prior approval from the CAA.

145.A.140 Access

145.A.140 For the purpose of determining compliance with the relevant requirements of Regulation (EU) 2018/1139, the organisation must ensure that access to any facility, aircraft, document, records, data, procedures or to any other material relevant to its activity subject to certification, whether it is subcontracted or not, is granted to any person authorised by the CAA.

145.A.155 Immediate reaction to a safety problem

145.A.155 The organisation must implement:

- (a) any safety measures mandated by the CAA in accordance with point 145.B.135;
- (b) any relevant mandatory safety information issued by the CAA.

145.A.200 Management system

- (a) The organisation must establish, implement and maintain a management system that includes:
 - (1) clearly defined accountability and lines of responsibility throughout the organisation, including a direct safety accountability of the accountable manager;
 - (2) a description of the overall philosophies and principles of the organisation with regard to safety (“the safety policy”), and the related safety objectives;
 - (3) the identification of aviation safety hazards entailed by the activities of the organisation, their evaluation and the management of the associated risks, including taking actions to mitigate the risks and verify their effectiveness;
 - (4) maintaining personnel trained and competent to perform their tasks;
 - (5) documentation of all management system key processes, including a process for making personnel aware of their responsibilities and the procedure for amending that documentation;
 - (6) a function to monitor the compliance of the organisation with the relevant requirements. Compliance monitoring must include a system for feedback of findings to the accountable manager to ensure the effective implementation of corrective actions as necessary.
- (b) The management system must correspond to the size of the organisation and the nature and complexity of its activities, taking into account the hazards and the associated risks inherent in those activities.
- (c) If the organisation holds one or more additional organisation certificates within the scope of Regulation (EU) 2018/1139, the management system may be integrated with that required under the additional certificates held.

145.A.202 Internal safety reporting scheme

- (a) As part of its management system, the organisation must establish an internal safety reporting scheme to enable the collection and evaluation of occurrences that are required to be reported under point 145.A.60.
- (b) The scheme must also enable the collection and evaluation of those errors, near misses and hazards reported internally that do not fall under point (a).
- (c) Through that scheme, the organisation must:
 - (1) identify the causes of, and contributing factors to, the errors, near misses and hazards reported, and address them as part of its safety risk management process in accordance with point 145.A.200(a)(3);
 - (2) ensure an evaluation of all known, relevant information relating to errors, near misses, hazards and the inability to follow procedures, and a method to circulate the information as necessary.
- (d) The organisation must make arrangements to ensure the collection of safety issues related to subcontracted activities.

145.A.205 Contracting and subcontracting

- (a) The organisation must ensure that when contracting or subcontracting any part of its maintenance activities:
 - (1) the maintenance conforms to the applicable requirements;
 - (2) any aviation safety hazard associated with such contracting or subcontracting is considered as part of the organisation's management system.
- (b) If the organisation subcontracts any part of its maintenance activities to another organisation, the subcontracted organisation must work under the scope of approval of the subcontracting organisation.?"